No. 91

MICHIGAN SENATE

DAILY CALENDAR

TUESDAY, DECEMBER 9, 1997 10:00 a.m.

MESSAGES FROM THE HOUSE

SB 181 Sen. Van Regenmorter

Mental health; patients; notification of prosecutor when certain individuals are released or discharged from hospital; require and require competency evaluation.

Amends sec. 1034 of 1974 PA 258 (MCL 330.2034) & adds secs. 487 & 542.

I.E. House, December 2, 1997.

Senate substitute (S-2).

Returned from House with amendments, Tuesday, December 2; laid over under the rules.

For House amendments, see Senate Journal No. 89, page 1879.

Committee recommended I.E.

___ 2 ___

SB 788 Sen. Dunaskiss

Communications; telecommunications; lifeline services; establish.

Amends sec. 316 of 1991 PA 179 (MCL 484.2316).

I.E. House, December 3, 1997.

Returned from House with substitute (H-1), Thursday, December 4; laid over under the rules.

House substitute (H-1).

3

SB 491 Sen. Geake

Health; substance abuse treatment; certain individuals in jeopardy of having children placed in foster care; provide for priority access to substance abuse treatment resources.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 6232.

Senate substitute (S-1).

Returned from House, Thursday, December 4.

Committee recommendation for I.E. pending.

SB 490 Sen. Gougeon

Family law; children; provisions of juvenile code related to foster care of children; revise.

Amends secs. 13a, 18, 18f, 19 & 19a, ch. XIIA of 1939 PA 288 (MCL 712a.13a et seq.) & adds sec. 13b to ch. XIIA.

I.E. House, December 4, 1997.

Senate substitute (S-1).

Returned from House with substitute (H-4), Thursday, December 4; laid over under the rules.

House substitute (H-4).

Committee recommended I.E.

MESSAGES FROM THE HOUSE

___ 5 ___

SB 492 Sen. Bouchard

Children; foster care; waiver of certain licensing requirements for foster home; allow when best interests of child will be served.

Amends title of 1973 PA 116 (MCL 722.111 - 722.128) & adds sec. 8b.

Senate substitute (S-1).

Returned from House with substitute (H-4), Thursday, December 4; laid over under the rules.

House substitute (H-4).

Committee recommended I.E.

____ 6 ____

SB 503 Sen. Cisky

Children; protection; use of prevention and intervention procedures; implement.

Amends sec. 8 of 1975 PA 238 (MCL 722.628).

Returned from House with substitute (H-4), Thursday, December 4; laid over under the rules.

House substitute (H-4).

Committee recommended I.E.

7

SB 504 Sen. Bennett

Children; protection; certain child protection case information; make subject to provisions of the freedom of information act.

Amends sec. 7 of 1975 PA 238 (MCL 722.627) & adds sec. 7b.

Senate substitute (S-1).

Returned from House with substitute (H-4), Thursday, December 4; laid over under the rules.

House substitute (H-4).

Committee recommended I.E.

8

SB 516 Sen. Gougeon

Children; protection; petition for jurisdiction filed with probate court; require of family independence agency.

Amends secs. 13a, 17, 17c, 18f, 19 & 19b, ch. XIIA of 1939 PA 288 (MCL 712A.13a et seq.) & adds secs. 13b, 13c, 13d & 19d to ch. XIIA.

Senate substitute (S-1).

Returned from House with substitute (H-4), Thursday, December 4; laid over under the rules.

House substitute (H-4).

MESSAGES FROM THE HOUSE

9

SB 517 Sen. McManus

Children; foster care; duties of local foster care review boards: revise.

Amends secs. 4, 5 & 7 of 1984 PA 422 (MCL 722.134 et seq.).

Senate substitute (S-3).

Returned from House with substitute (H-3), Thursday, December 4; laid over under the rules.

House substitute (H-3).

Committee recommended I.E.

_____ 10 ____

SB 543 Sen. Peters

Children; protection; attorney for child who is a ward of the Michigan children's institute; provide for involvement in permanency planning process.

Amends sec. 4 of 1935 PA 220 (MCL 400.204).

Returned from House with substitute (H-3), Thursday, December 4; laid over under the rules.

House substitute (H-3).

Committee recommended I.E.

____ 11 _____

SB 515 Sen. Emmons

Children; protection; investigations of suspected child abuse or neglect; add to and clarify requirements.

Amends secs. 7 & 8 of 1975 PA 238 (MCL 722.627 & 722.628) & adds secs. 7b, 8b & 8c.

Senate substitute (S-2).

Returned from House with substitute (H-7), Thursday, December 4; laid over under the rules.

House substitute (H-7).

Committee recommended I.E.

THIRD READING OF BILLS

____ 12 _____

SB 34 Sen. Byrum

Retirement; municipal employees; early retirement for elected officials; prohibit.

Amends 1984 PA 427 (MCL 38.1501 - 38.1555) by adding sec. 10b.

Reported by Committee on Appropriations.

Committee recommended I.E.

SB 35 Sen. Byrum

Retirement; state employees; early retirement for elected officials; prohibit.

Amends 1943 PA 240 (MCL 38.1 - 38.69) by adding sec. 19g.

Reported by Committee on Appropriations.

Committee recommended I.E.

____ 14 _____

SB 36 Sen. Byrum

Retirement; county employees; early retirement for elected officials; prohibit.

Amends sec. 12a of 1851 PA 156 (MCL 46.12a).

Reported by Committee on Appropriations.

Committee recommended I.E.

THIRD READING OF BILLS

____ 15 _____

SB 37 Sen. Byrum

Retirement; legislative; early retirement for elected officials; prohibit.

Amends 1957 PA 261 (MCL 38.1001 - 38.1080) by adding sec. 23f.

Reported by Committee on Appropriations.

Committee recommended I.E.

SB 38 Sen. Byrum

Retirement; generally; regulation of early retirement benefits act; enact to regulate benefits provided to certain public officials.

Reported by Committee on Appropriations. Committee recommended I.E.

GENERAL ORDERS

_____ 17 _____

SJR E Sen. Hoffman

Transportation; other; state transportation commission; repeal.

Repeals sec. 28, art. V of the state constitution.

Reported by Committee on Appropriations.

For Senate amendment, see Senate Journal No. 50, page 833.

_____ 18 _____

SB 10 Sen. Schuette

Single business tax; credit; research and development; provide for.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 37e.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-2).

Committee recommended I.E.

____ 19 _____

SB 300 Sen. North

Education; calendar; school year; require to start after Labor day.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1284b.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

HB 4039 Rep. Profit

Vehicles; emergency vehicles; emergency vehicle operation; create commission and require to develop a model policy.

Creates & repeals new act.

I.E. House, February 26, 1997.

House substitute (H-5)*.

Reported by Committee on Judiciary.

Senate substitute (S-1).

____ 21 _____

HB 4324 Rep. Harder

State; employees and officers; suggestion awards programs; include retired state employees.

Amends secs. 1, 2, 3 & 4 of 1978 PA 325 (MCL 38.1161 et seq.).

I.E. House, March 19, 1997.

For House amendment, see House Journal No. 24, page 428.

Reported by Committee on Government Operations. For Senate amendment, see Senate Journal No. 83, page 1686.

Committee recommended I.E.

22

SB 769 Sen. McManus

Natural resources; fishing; commercial fishing fees; revise for fiscal year 1997-98.

Amends secs. 47315, 47330, 47331 & 47362 of 1994 PA 451 (MCL 324.47315 et seq.); adds sec. 47330a & repeals secs. 47330 & 47330a of 1994 PA 451 (MCL 324.47330 & 324.47330a).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

____ 23 _____

SB 473 Sen. Rogers

Criminal procedure; self-incrimination; grant of use immunity to witness; permit in criminal and juvenile proceedings and certain administrative investigations and proceedings.

Amends title & secs. 1, 2 & 3 of 1968 PA 289 (MCL 780.701 et seq.) & adds sec. 2a.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

24

SB 474 Sen. Rogers

Criminal procedure; self-incrimination; grant of use immunity to witness; permit in grand jury proceeding.

Amends secs. 6 & 19b, ch. VII of 1927 PA 175 (MCL 767.6 & 767.19b).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

— 25 ——

SB 475 Sen. Gougeon

Criminal procedure; self-incrimination; use immunity to witness; require in certain criminal proceedings.

Amends secs. 125, 157, 446, 453 & 461 of 1931 PA 328 (MCL 750.125 et seq.) & repeals sec. 334 of 1931 PA 328 (MCL 750.334).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

— 26 ———

SB 476 Sen. Bennett

Criminal procedure; self-incrimination; use immunity to witness; require in fire investigations.

Amends sec. 7 of 1941 PA 207 (MCL 29.7).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

____ 27 _____

SB 718 Sen. Geake

Torts; other; criminal bringing a civil action for damages for injuries sustained while committing the crime against the victim of the crime and certain other individuals; prohibit.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 2955c.

Reported by Committee on Judiciary.

Senate substitute (S-6).

_____ 28 _____

SB 712 Sen. North

Construction; contracts; public buildings and works paid for by the state; require good and sufficient bond for certain payments and that the surety be authorized to do business in this state.

Amends sec. 1 of 1905 PA 187 (MCL 570.101).

Reported by Committee on Human Resources, Labor and Veterans Affairs.

For Senate amendments, see Senate Journal No. 87, page 1824.

Committee recommended I.E.

_____ 29 ______

SB 713 Sen. North

Construction; public buildings; payment bonds; require that bonds be good and sufficient.

Amends secs. 1, 3 & 4 of 1963 PA 213 (MCL 129.201 et seq.).

Reported by Committee on Human Resources, Labor and Veterans Affairs.

For Senate amendments, see Senate Journal No. 87, page 1825.

Committee recommended I.E.

____ 30 _____

SB 786 Sen. Rogers

Worker's compensation; mediation; mediators to approve certain redemptions; allow.

Amends secs. 836 & 837 of 1969 PA 317 (MCL 418.836 & 418.837).

Reported by Committee on Human Resources, Labor and Veterans Affairs.

Senate substitute (S-1).

____ 31 _____

SB 789 Sen. Rogers

Worker's compensation; disabilities; occupational cancer; provide presumption for certain fire fighters regarding. Amends sec. 405 of 1969 PA 317 (MCL 418.405).

Reported by Committee on Human Resources, Labor and Veterans Affairs.

Committee recommended I.E.

____ 32 _____

HB 4146 Rep. Kelly

Libraries; other; definition of library record; revise to include information on patrons of the library.

Amends sec. 2 of 1982 PA 455 (MCL 397.602).

I.E. House, April 30, 1997.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

33

HB 5084 Rep. Dobronski

State; planning; funding for implementation of monumentation and remonumentation plan; clarify.

Amends secs. 2, 6, 8 & 12 of 1990 PA 345 (MCL 54.262 et seq.).

I.E. House, October 14, 1997.

House substitute (H-1).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

____ 34 _____

HB 4454 Rep. Varga

Liquor; other; recodification of Michigan liquor control act; provide for.

Creates new act & repeals (See bill).

I.E. House, May 14, 1997.

House substitute (H-1).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-2).

Committee recommended I.E.

____ 35 _____

HB 4047 Rep. Callahan

Environmental protection; sewage; discharge of rainwater from gutters or roof downspouts into sanitary sewage system; prohibit in communities that have combined sewer system.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 3112b.

I.E. House, June 25, 1997.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

GENERAL ORDERS

— 36 ———

HB 4045 Rep. Callahan

Environmental protection; sewage; discharge of inadequately treated water during a combined sewer overflow; require notice and testing of receiving waters.

Amends sec. 3112a, 1994 PA 451 (MCL 324.3112a).

I.E. House, June 25, 1997.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-5).

Committee recommended I.E.

SB 483 Sen. Schwarz

Highways; other; number of interchanges used for logo sign pilot program; increase.

Amends sec. 2 of 1941 PA 205 (MCL 252.52).

Reported by Committee on Transportation and Tourism.

For Senate amendment, see Senate Journal No. 88, page 1854.

Committee recommended I.E.

____ 38 ____

SB 484 Sen. Schwarz

Highways; other; number of interchanges used for logo sign pilot program; increase.

Amends sec. 676a of 1949 PA 300 (MCL 257.676a).

Reported by Committee on Transportation and Tourism.

For Senate amendment, see Senate Journal No. 88, page 1854.

Committee recommended I.E.

____ 39 _____

SB 763 Sen. Byrum

Traffic control; driver license; regulations of licensed driving instructors; provide for.

Amends secs. 2, 4 & 5 of 1974 PA 369 (MCL 256.602 et seq.) & adds secs. 5a & 5b.

Reported by Committee on Transportation and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

SB 792 Sen. Byrum

Traffic control; other; requirement for private driving schools to subscribe to the community look-up service; provide for.

Amends sec. 208b of 1949 PA 300 (MCL 257.208b).

Reported by Committee on Transportation and Tourism.

SB 202 Sen. Steil

Education; board members; school elections; require to be held with general election, make other revisions in school elections, and repeal certain election provisions in school code.

Amends secs. 3, 5, 6, 11a, 613, 616, 617, 661, 687, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 932, 945, 1361 & 1732 of 1976 PA 451 (MCL 380.3 et seq.); adds secs. 1206 & 1351c & repeals sec. 662 of 1976 PA 451 (MCL 380.662), pt. 12 of 1976 PA 451 (MCL 380.1001 - 380.1071) & pt. 14 of 1976 PA 451 (MCL 380.1101 - 380.1106).

Reported by Committee on Government Operations. Committee recommended I.E.

42

SB 207 Sen. McManus

Elections; school; chapter in election law regulating school elections; create and provide other general amendments.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 17 & ch. XIV.

Reported by Committee on Government Operations. Committee recommended I.E.

SB 486 Sen. Bennett

Townships; charter; signature requirements to file for election to the board of a charter township; eliminate.

Amends sec. 4 of 1947 PA 359 (MCL 42.4).

Reported by Committee on Government Operations. Committee recommended I.E.

44

SB 224 Sen. Bennett

Elections; school; school elections being conducted by local units of government; provide for and provide other general amendments.

Amends secs. 30a, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 544c, 644k, 690, 862, 863, 954 & 972 of 1954 PA 116 (MCL 168.30a et seq.).

Reported by Committee on Government Operations. For Senate amendment, see Senate Journal No. 88, page 1856.

Committee recommended I.E.

45

HB 4635 Rep. Bankes

State; identification cards; use of official state personal identification card as proof of identification; permit acceptance same as driver license and provide penalties for noncompliance.

Amends secs. 2 & 3 of 1972 PA 222 (MCL 28.292 & 28.293).

I.E. House, May 21, 1997.

Reported by Committee on Government Operations.

For Senate amendment, see Senate Journal No. 88, page 1856.

Committee recommended I.E.

GENERAL ORDERS

SB 805 Sen. Steil

Labor; hours and wages; certain projects subject to prevailing wage act; exempt.

Amends sec. 8 of 1965 PA 166 (MCL 408.558).

Reported by Committee on Human Resources, Labor and Veterans Affairs.

Committee recommended I.E.

47

SB 312 Sen. Bouchard

Courts; other; juror boards; eliminate.

Amends secs. 1304, 1304a, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1319, 1320, 1321, 1322, 1323, 1324, 1326, 1327, 1328, 1330, 1331, 1340, 1341, 1342, 1345 & 1346 of 1961 PA 236 (MCL 600.1304 et seq.) & repeals secs. 1301, 1302, 1303, 1303a, 1305, & 1318 of 1961 PA 236 (MCL 600.1301 et seq.).

Reported by Committee on Judiciary. Committee recommended I.E.

SB 780 Sen. Cherry

Criminal procedure; sentencing; conditional sentence; allow payment of restitution to the victim as a condition.

Amends secs. 1a & 3, ch. IX of 1927 PA 175 (MCL 769.1a & 769.3).

Reported by Committee on Judiciary. Committee recommended I.E.

SB 781 Sen. Van Regenmorter

Criminal procedure; sentencing; imposition of sentence conditional upon payment of restitution; permit under crime victim's rights act.

Amends secs. 16 & 76 of 1985 PA 87 (MCL 780.766 & 780.826).

Reported by Committee on Judiciary. Committee recommended I.E.

____ 50 _____

SB 536 Sen. Bouchard

Criminal procedure; pleas; pleas or arraignment by telephone, mail, or court filing; allow for certain incarcerated individuals and extend 2-way television procedures.

Amends sec. 37a, ch. VII of 1927 PA 175 (MCL 767.37a) & adds sec. 37b to ch. VII.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

51

SB 537 Sen. Geake

Health; smoking; use of tobacco products on school property; give district court concurrent jurisdiction if violator is a minor.

Amends sec. 473 of 1931 PA 328 (MCL 750.473).

Reported by Committee on Judiciary.

Senate substitute (S-1).

____ 52 _____

SB 538 Sen. Geake

Health; smoking; possession or use of tobacco product by minor in a public place; give district court concurrent jurisdiction.

Amends sec. 2 of 1915 PA 31 (MCL 722.642).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

____ 53 _____

SB 539 Sen. Geake

Courts; jurisdiction; misdemeanors involving minors and tobacco products; provide district courts with concurrent jurisdiction.

Amends secs. 1021 & 8311 of 1961 PA 236 (MCL 600.1021 & 600.8311).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

SB 776 Sen. V. Smith

Property tax; tax sales; sales of tax liens; allow. Amends sec. 107 of 1893 PA 206 (MCL 211.107).

Reported by Committee on Finance.

Committee recommended I.E.

— 55 —

SB 778 Sen. V. Smith

Local government; financing; sale of tax liens; allow.

Reported by Committee on Finance.

Committee recommended I.E.

- 56 ---

SB 779 Sen. V. Smith

Local government; bonds; procedure for issuance of delinquent tax anticipation notes or bonds; revise.

Amends secs. 20, 21, 22, 23 & 24, ch. IV of 1943 PA 202 (MCL 134.20 et seq.).

Reported by Committee on Finance.

Committee recommended I.E.

SB 104 Sen. Schwarz

Health; occupations; registered professional nurse with specialty certification; include in definition of prescriber.

Amends sec. 17708 of 1978 PA 368 (MCL 333.17708).

Reported by Committee on Health Policy and Senior Citizens.

Senate substitute (S-3).

Committee recommended I.E.

HB 4619 Rep. Gire

Health; pharmaceuticals; complimentary starter dose drugs; revise definition and labeling requirements.

Amends sec. 17745 of 1978 PA 368 (MCL 333.17745).

I.E. House, November 5, 1997.

House substitute (H-1).

Reported by Committee on Health Policy and Senior Citizens.

Committee recommended I.E.

GENERAL ORDERS

____ 59 _____

HB 5259 Rep. Law

Occupations; marriage counselors; direct client contact hours during educational training; revise requirements for obtaining.

Amends sec. 16909 of 1978 PA 368 (MCL 333.16909).

I.E. House, November 12, 1997.

Reported by Committee on Health Policy and Senior Citizens.

Committee recommended I.E.

RESOLUTIONS

60 _____

SR 71 Sen. McManus

A resolution concurring in the tribal-state gaming compacts negotiated between the Governor and the Little River Band of Ottawa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Bands of Odawa Indians, and the Nottawaseppi Huron Band of Potawatomi.

Reported by Committee on Gaming and Casino Oversight.

For text of resolution, see Senate Journal No. 51, page 860.

Adoption pending.

COMMITTEE REPORTS

_____ 61 _____

SB 828 Sen. Gast

Property tax; exemptions; personal property located in a renaissance zone; eliminate time requirement for exemption.

Amends sec. 7ff of 1893 PA 206 (MCL 211.7ff).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

____ 62 ____

SB 757 Sen. Schuette

Labor; other; expenditure of state money to provide benefits for partners of certain unmarried public employees; prohibit.

Reported by Committee on Human Resources, Labor and Veterans Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETING

Agriculture and Forestry - Tuesday, December 9, 1:30 p.m., Room 210, Farnum Building (373-2413)